

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KEITH JOHNSON, COLBY GOROG,
JOSHUA FLINT, LOUIS ROBINSON,
and MICHAEL LERRO, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

ELON MUSK, TESLA, INC., and THE
DOGECOIN FOUNDATION, INC.,

Defendants.

Civil Action No.: 1:22-cv-05037-AKH

ECF CASE

**NOTICE OF MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying memorandum of law in support thereof, and all prior pleadings and proceedings herein, Defendants Elon Musk and Tesla Inc., by their undersigned counsel, will move this Court on a date and time to be designated by the Court, before the Honorable Alvin K. Hellerstein, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, pursuant to Federal Rule of Civil Procedure 12(b)(6), for an Order dismissing the Second Amended Complaint and any other and further relief the Court deems just and proper.

Dated: March 31, 2023
New York, New York

Respectfully submitted,
/s/ Adam G. Mehes
Adam G. Mehes
Allison Huebert (*pro hac vice* pending)
TESLA, INC.
1 Tesla Road
Austin, TX 78725
Tel: (347) 417-4940
amehes@tesla.com
ahuebert@tesla.com

Sarah Heaton Concannon
Brenna Nelinson
QUINN EMANUEL URQUHART &
SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, New York 10038
Tel: 202-538-8122
Fax: 202-538-8100
sarahconcannon@quinnemanuel.com
brennanelinson@quinnemanuel.com

Attorneys for Defendants Tesla, Inc. and Elon Musk